

CITY OF LINCOLN ADMINISTRATION POLICY	NUMBER: 87
PREPARED BY: DARLA WEGENER	DATE: January 24, 2006
SUBJECT: CONFIDENTIALITY OF LIBRARY PATRON RECORDS	AUTHORITY : CITY MANAGER
	CITY MANAGER: GERALD JOHNSON

PURPOSE

The purpose of this administrative policy is to provide information and process that is in compliance with applicable federal, state, and local laws regarding the confidentiality of library patron records.

DEFINITION

Confidentiality of Library Patron Records: when the records of a person's identification and usage of the library is kept private on their behalf. This includes patron registration, circulation, computer usage, and material requests.

GENERAL POLICY

The Lincoln Public Library has the responsibility, under the California Public Records Act, to establish a policy that all registration and circulation records of the Lincoln Public Library are confidential. Such records, in any form, include patron registration, circulation, computer usage, and material requests.

Section 6267 of the California State Government Code reads:

All registration and circulation records of any library which is in whole or in part supported by public funds shall remain confidential and shall not be disclosed to any person, local agency, or state agency except as follows:

- *By a person acting within the scope of his or her duties within the administration of the library*
- *By a person authorized, in writing, by the individual to whom the records pertain, to inspect the records*
- *By order of the appropriate superior court*

As used in this section, the term "registration records" includes any information which a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes any information which identifies the patron borrowing particular books and other material.

This section shall not apply to statistical reports of registration and circulation nor to records of fines collected by the library.

Access to a patron record is allowed only by:

- Library staff acting within the scope of their duties
- Written consent of the patron
- Court order or other act of law

Staff may only provide a parent or guardian who has signed for a child's library card with information concerning the child's overdues, damaged items, and other charges. Parents or guardians are responsible for loss or damage of library materials checked out by minors (California Education Code, section 19911).

To protect confidentiality of the patron the following procedure has been established when someone reports a found library card.

- Only the card is found. Ask them to return it to the Library.
- The card is found with other personal items. Ask them to turn it over to the police.
- The card is found by or given to the police or fire officers in the line of duty. The officer should be referred to the Director of Library Services.

The Director of Library Services should be contacted immediately if library staff receives any process, order, or subpoena. The Director will consult with city management and city legal counsel to determine if such process, order, or subpoena is proper legal authority. The implementation and interpretation of this policy is the responsibility of the Director of Library Services.